IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.2134-M of 2007

DATE OF DECISION: MARCH 9, 2007

Kanta Rani

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. H.S.Deol, Advocate,
for Mr.Mansur Ali, Advocate,
for the petitioner.
Mr.S.S.Mor, Sr.DAG,Haryana.

...

Petitioner Kanta Rani apprehending her arrest in a non-bailable offence in case FIR No.1105 dated 7.12.2006 registered under Sections 498-A/406/506/34 IPC at Police Station Sadar, Hisar, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on January 16, 2007, the arrest of the petitioner was stayed subject to her joining the investigation.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the petitioner is the old mother-in-law of the daughter of the complainant and she has been falsely implicated. Counsel further contends that the husband of the daughter of the complainant after arrest has been released on regular bail.

Counsel for the petitioner further contends that in terms of the aforesaid interim order, the petitioner has joined the investigation. He further contends that during the investigation, the offence under Section 316 IPC has also been added by the police.

Counsel for the respondent-State, on instructions from ASI Joginder Singh, does not dispute the factum of joining the investigation by the petitioner. He further contends that as far as offence under Section 316 IPC is concerned, the allegation is against the husband not against the petitioner.

In view of the aforesaid facts, without expressing any opinion on the merits of the case, the interim order dated January 16, 2007 is made absolute.

Disposed of accordingly.

March 9, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE